GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PREVENTIVE DETENTION - The Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No: 1 of 1986) – Order of Detention made by the Collector and District Magistrate, Ananthapuramu District, in respect of Sri Shaik Khaja @ Kaalu, Aged 26 years, S/o Shaik Mahammad Rafi (Late) R/o D.No.15-483-9, Gandhi Nagar, Tadipatri Town, Ananthapuramu District, Andhra Pradesh State - Representation of Sri Mohammad Rafi B/o Sri Shaik Khaja, Detenue - Examined –Orders – Issued.

GENERAL ADMINISTRATION (SC.I) DEPARTMENT

G.O.Rt.No.2328 **Dated:01.12.2023**

Read the following:-

1. From the Collector and District Magistrate, Ananthapuramu District, Proceedings Rc.No.MC1/2446/2023, Dated 25.08.2023.
2. G.O.Rt.No.1754, G.A.(SC.I) Dept., dated 01.09.2023.
3. G.O.Rt.No.2115, G.A (SC-I) Dept, dated 30.10.2023
4. Representation dated 15.11.2023 of Sri Mohammad Rafi B/o Sri Shaik Khaja, Detenue, R/o D.No.15-483-9, Gandhi Nagar, Tadipatri Town, Ananthapuramu District received on 21.11.2023.

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O R D E R:

In the reference first read above, the Collector and District Magistrate, Ananthapuramu District, has passed detention order against Sri Shaik Khaja @ Kaalu, Aged 26 years, S/o Shaik Mahammad Rafi (Late) R/o D.No.15-483-9, Gandhi Nagar, Tadipatri Town, Ananthapuramu District, Andhra Pradesh State, under section 3 (1) & (2) read with Section 2(g) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986). After following due procedure, Government had approved and confirmed the detention order in the reference 2nd and 3rd read above.

2. In the reference 4th read above, Sri Mohammad Rafi B/o Sri Shaik Khaja, Detenue, had made a representation to the Government and requested to issue orders for release of his brother duly cancelling the order of detention of the Collector.

3. Government have examined the representation of Sri Mohammad Rafi B/o Sri Shaik Khaja, Detenue, and the material available in the record and under the provisions of the APPD Act, 1986. He is habitually committed dangerous offences like Goonda activities in violation of Laws and comes under the category of “GOONDA” as defined U/s 2(g) of “The Andhra Pradesh Prevention of Dangerous activities of Bootleggers, Decoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986. He is a habitual criminal, involved in series of offences in proximity of time, thereby causing disturbance to the public order. He is an habitual criminal, involved in series of offences in proximity of time, thereby causing disturbance to the public order. The details shows that he is a habitual offender. He is indulging in unlawful activities, having no respect towards Law and Justice and continued his illegal activities and there will be no change in his attitude even though number of cases registered against him. The said offences are punishable under Chapter XVI Chapter XVII or Chapter XXII of IPC. As such the activities of the individual falls under and within the meaning of “Goonda” as defined under section 2(g) of Act 1 of 1986.

(P.T.O)

4. The Act 1/1986 provides power to preventive detention of an individual to contain his activities which are prejudicial to the maintenance of public order under the following circumstances: (a) "acting in any manner prejudicial to the maintenance of public order" means when a boot-legger, a dacoit, a drug offender, a goonda, an immoral traffic offender, or a land-grabber is engaged or is making preparations for engaging in any of his activities as such, which affect adversely or are likely to affect adversely, the maintenance of public order. For the purpose of this clause public order shall be deemed to have been affected adversely, or shall be deemed likely to be affected adversely inter alia, if any of the activities of any of the persons referred to in this clause directly, or indirectly, is causing or calculated to cause any harm, danger or alarm or a feeling of insecurity among the general public or any section thereof or a grave or widespread danger to life or public health. The Advisory Board meeting was held on 05.10.2023 wherein the AB has heard the views of Detenue, besides his mother Shaik Hasina and his brother Mohammad Ali and Investigating Officers who have attended the meeting through Video conference. The Advisory Board has reported unanimously that in its opinion, “there is sufficient cause for the detention of the detenue”. Accordingly, Government have confirmed the detention orders of the Collector vide G.O.3rd read above.

5. Government therefore, and after careful examination of the matter hereby dispose the representation of the petitioner, Sri Mohammad Rafi B/o Sri Shaik Khaja, Detenue, as rejected.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.K.S.JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

To
Sri Mohammad Rafi B/o Sri Shaik Khaja, Detenue, R/o D.No.15-483-9, Gandhi Nagar, Tadipatri Town, Ananthapuramu District.
The Collector and District Magistrate, Ananthapuramu District.

Copy to:

The Superintendent of Police, Ananthapuramu.
The Spl. Govt. Pleader, attached to Learned Advocate General, A.P High court, High Court buildings, Nelapadu, Guntur Dist, A.P.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER (SC)